

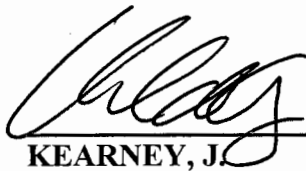
IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RAUL DELGADO	:	CIVIL ACTION
	:	
v.	:	NO. 16-1765
	:	
UNITED STATES OF AMERICA	:	

**ORDER**

**AND NOW**, this 14<sup>th</sup> day of July 2016, upon consideration of Defendant's Motion to Dismiss or for Summary Judgment (ECF Doc. No. 6), Plaintiff's Response (ECF Doc. No. 7), Defendant's Reply (ECF Doc. No. 8) and Plaintiff's Surreply (ECF Doc. No. 11), it is **ORDERED** Defendant's Motion (ECF Doc. NO. 6) is **DENIED** as there are genuine issues of material fact concerning causation and injury and we cannot, as a matter of law, either preclude the application of the discovery rule or find Plaintiff's claims are barred by the two-year statute of limitations.

The United States shall answer the Complaint on or before **July 28, 2016**.

  
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KEARNEY, J.